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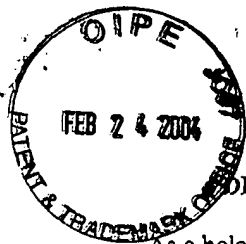
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Attorney Docket No.: 21459-94575

Client Reference No.: \_\_\_\_\_

## DECLARATION AND POWER OF ATTORNEY – PATENT APPLICATION

As a below named inventor, I hereby declare that I believe I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter which is claimed and for which a patent is sought in the application entitled:

METHODS AND COMPOSITIONS FOR MODULATING APOPTOSIS

the specification of which  
(check one)

☒ is attached hereto \_\_\_\_\_ as  
☐ was filed on July 25, 2003 \_\_\_\_\_ or  
 United States Application Serial No. 10/626,905  
 PCT International Application No. \_\_\_\_\_  
 and was amended on \_\_\_\_\_

I hereby declare that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to herein.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate on which priority is claimed (as listed below) and I have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s) PCT/US02/31548 (Number)	International (Country)	2 October 2002 (Day/Month/Year Filed)	Priority Claimed	
			No	Yes
			No	No

I hereby claim benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

<u>60/328,811</u> Application Number	<u>October 12, 2001</u> Filing Date
<u>60/326,492</u> Application Number	<u>October 2, 2001</u> Filing Date

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(b) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>10/263,330</u> Application Serial No.	<u>October 2, 2002</u> Filing Date	<u>Pending</u> Status
---	---------------------------------------	--------------------------

I hereby appoint William R. Coffey, Reg. No. 24023; Arland T. Stein, Reg. No. 25062; Richard D. Conard, Reg. No. 27321; Dilip A. Kulkarni, Reg. No. 27510; Richard A. Rezek, Reg. No. 30796; Paul B. Hunt, Reg. No.

Attorney Docket No.: 21459-94575

Client Reference No.: \_\_\_\_\_

37154; Jeffrey A. Michael, Reg. No. 37394; Bradford G. Addison, Reg. No. 41486; Shawn D. Bauer, Reg. No. 41603; Jill T. Powlick, Reg. No. 42088; Ronald S. Henderson, Reg. No. 43669; James R. Sweeney II, Reg. No. 45670; Christopher E. Haigh, Reg. No. 46377; Kevin D. Bailey, Reg. No. 46531; Rebecca Ball, Reg. No. 46535; Carli E. Stewart, Reg. No. 51058; Helen Geib, Reg. No. 50924; Kevin L. McLaren, Reg. No. 48351; Perry Palan, Reg. No. 26213; Mark M. Newman, Reg. No. 31472; Richard P. Krinsky, Reg. No. 47720; Richard B. Lazarus, Reg. No. 48215; Bobby B. Gillenwater, Reg. No. 31105; Gregory S. Cooper, Reg. No. 40965; Thomas J. Donovan, Reg. No. 33231; Alice O. Martin, Reg. No. 35601; Grant H. Peters, Reg. No. 35977; Daniel P. Albers, Reg. No. 44008; Sendil Devadas, Reg. No. 52425; Thomas E. Smith, Reg. No. 18243; Dennis M. McWilliams, Reg. No. 25195; James R. Sweeney, Reg. No. 18721; William M. Lee, Jr., Reg. No. 26935; Glenn W. Ohlson, Reg. No. 28455; David C. Brezina, Reg. No. 34128; Jeffrey R. Gray, Reg. No. 33391; Gerald S. Geren, Reg. No. 24528; Robert F.I. Conte, Reg. No. 20354; Timothy J. Engling, Reg. No. 39970; Howard B. Rockman, Reg. No. 22190; Peter J. Shakula, Reg. No. 40808; Mark A. Hagedorn, Reg. No. 44731; Mark J. Nahnsen, Reg. No. 51093; Brian J. Gill, Reg. No. 46,727; and Cynthia L. Smith, Reg. No. 53,608 as attorneys of record with full power of substitution and revocation, to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith, and I specify that communications regarding the application be directed to:

BARNES & THORNBURG  
P.O. Box 2786  
Chicago, Illinois 60690-2786  
(312) 357-1313  
(312) 759-5646 Fax.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Guido Franzoso

Full Name of Sole or First Joint Inventor

Inventor's Signature

3660 N. LAKE SHORE DR., #2205

CHICAGO, IL 60613

Residence and Post Office Address

Enrico DeSmaele

Full Name of Second Joint Inventor

Inventor's Signature

Residence and Post Office Address

Francesca Zazzeroni

Full Name of Third Joint Inventor

Inventor's Signature

ITALY

Country of Citizenship

2-13-04

Date

Country of Citizenship

Date

Country of Citizenship

Date

Attorney Docket No.: 21459-94575

Client Reference No.: \_\_\_\_\_

Residence and Post Office Address

Salvatore Papa

Full Name of Fourth Joint Inventor

*Salvatore Papa*  
Inventor's Signature

5300 S. HYDE PARK BLVD

CHICAGO, IL 60615

Residence and Post Office Address

ITALY

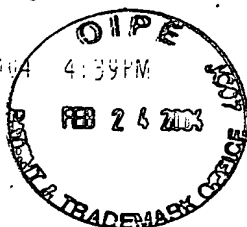
Country of Citizenship

2/13/04

Date

FEB. 10. 2004

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NO. 015 F. 4

Attorney Docket No.: 21459-94575

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METHODS AND COMPOSITIONS FOR MODULATING APOPTOSIS

the specification of which

(check one)

is attached hereto

Xwas filed on July 25, 2003

as

United States Application Serial No. 10/626,905

or

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and was amended on \_\_\_\_\_

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Prior Foreign Application(s)

PCT/US02/31548

(Number)

International

(Country)

2 October 2002

(Day/Month/Year Filed)

Priority Claimed

No

Yes

No

I hereby claim benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

60/328,811

Application Number

October 12, 2001

Filing Date

60/326,492

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10/263,330

Application Serial No.

October 2, 2002

Filing Date

Pending

Status

I hereby appoint William R. Coffey, Reg. No. 24023; Arland T. Stein, Reg. No. 25062; Richard D. Conard, Reg. No. 27321; Dilip A. Kulkarni, Reg. No. 27510; Richard A. Rezek, Reg. No. 30796; Paul B. Hunt, Reg. No.

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Guido Franzoso

Full Name of Sole or First Joint Inventor

Country of Citizenship

Inventor's Signature

Date

Residence and Post Office Address

Enrico DeSmaele

Full Name of Second Joint Inventor

ITALY  
Country of CitizenshipEnrico DeSmaele  
Inventor's Signature16/02/2004  
DateVIA GIOVANNI XXIII, 5900028 SUBIACO (RM) ITALY  
Residence and Post Office AddressFrancesca Zazzeroni

Full Name of Third Joint Inventor

Country of Citizenship

Inventor's Signature

Date

FEB. 10. 2004 4:39PM

NO. 015 P. 6

Attorney Docket No.: 21459-94575

Client Reference No.: \_\_\_\_\_

\_\_\_\_\_  
Residence and Post Office Address

Salvatore Papa

Full Name of Fourth Joint Inventor

\_\_\_\_\_  
Inventor's Signature

\_\_\_\_\_  
Country of Citizenship

\_\_\_\_\_  
Date

\_\_\_\_\_  
Residence and Post Office Address

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the specification of which  
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\_\_\_\_\_ is attached hereto  
☒ was filed on July 25, 2003 as  
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(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
PCT/US02/31548				

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<u>60/328,811</u>	<u>October 12, 2001</u>
Application Number	Filing Date
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Application Serial No.	Filing Date	Status

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Guido Franzoso

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Date

Residence and Post Office Address

Enrico DeSmaele

Full Name of Second Joint Inventor

Country of Citizenship

Inventor's Signature

Date

Residence and Post Office Address

Francesca Zazzeroni

Full Name of Third Joint Inventor

ITALY  
Country of Citizenship

Inventor's Signature

02-16-2004  
Date

FEB. 10. 2004 4:39PM

NO. 015 P. 6

Attorney Docket No.: 21459-94575

Client Reference No.: \_\_\_\_\_

VIA BARCO 6

MONTESILVANO (PE) 65015, ITALY  
Residence and Post Office Address

Salvatore Papa

Full Name of Fourth Joint Inventor

Inventor's Signature

Residence and Post Office Address

Country of Citizenship

Date